

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
April 19, 2021

The Planning and Zoning Commission held a meeting on April 19, 2021, at the DeKalb Public Library in the Yusunas Meeting Room located at 309 Oak Street, DeKalb, Illinois. Chair Maxwell called the meeting to order at 6:00 PM.

Chair Maxwell stated he wanted to thank everyone for being here tonight. He mentioned for those attending, the meeting room has been set up to meet the CDC recommended distancing guidelines and the Executive Order from the Governor.

A. ROLL CALL

Principal Planner Dan Olson called the roll. Planning and Zoning Commission members present were: Trixy O’Flaherty, Maria Pena-Graham, Vice Chair Bill McMahon, and Chair Max Maxwell. Steve Becker attended the meeting remotely by video conference. Jerry Wright was absent. Principal Planner Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the April 19, 2021 agenda as presented. Mr. Becker motioned to approve the agenda as presented. Ms. O’Flaherty seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. April 5, 2021 – Chair Maxwell requested a motion to approve the April 5, 2021 minutes as presented. Mr. McMahon motioned to approve the minutes as presented. Ms. Pena-Graham seconded the motion, and the motion was approved by unanimous voice vote.

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

E. NEW BUSINESS

1. **Public Hearing** – A petition by the City of DeKalb on text amendments to Article 7.06.08 of the Unified Development Ordinance to remove the requirement that barbed wire fencing be angled towards the interior of a property, to allow barbed wire fencing in the General Commercial and Planned Development –

Commercial Districts, and to allow barbed wire fencing in the front yard of commercial and industrial districts in conjunction with certain uses.

Principal Planner Dan Olson went through the staff report dated April 15, 2021. He noted the proposed amendments are only related to barbed wire on top of a six ft. high fence, not barbed wire in general. He stated the UDO currently requires barbed wire to be directed towards the interior of the property. He believes this requirement was added in order to maintain setbacks from property lines. He advised the proposed amendment would allow barbed wire fencing to be positioned inwards or outwards from the property.

Mr. Olson stated a quick survey through the City shows an approximately 50-50 split between barbed wire fencing facing inwards or outwards. He advised the outward facing fences possibly outdated the UDO or were constructed without proper permitting. He mentioned the proposed amended language would require outward facing barbed wire fencing to be setback two feet from property lines. He added this amendment would not require current non-conforming fences to be removed and reinstalled.

Mr. Olson advised the proposal would also allow barbed wire fencing in the front yard in commercial or industrial districts in conjunction with certain uses. He stated the UDO only allows barbed wire fencing in the side or rear yard in industrial districts. He noted barbed wire is currently allowed in the side or rear yards in the General Commercial District with City Council approval after a report from the Community Development Director. He said he was unable to find any previous cases heard by the City Council regarding barbed-wire fences.

Mr. Olson stated certain uses have a need for barbed wire fencing not only in the side and rear yard, but also in the front yard for security purposes. He noted the proposal would accommodate these uses. He said electrical power substations, transformer stations, communications facilities, publicly owned properties, and uses requiring a secured entrance are some of the uses that would be allowed to have barbed wire in the front yard. Mr. Olson mentioned the proposal was initiated when Facebook required one of their sub-contractors along Dietz Ave. to have a secured vehicle entrance with barbed wire fencing around the perimeter.

Mr. Olson state the changes would also allow barbed wire fencing in the General Commercial and Planned Development Commercial Districts without Council approval. He expects the main user of barbed wire fences in the General Commercial District would be for cell tower sites that typically need a secured entrance.

Chair Maxwell gave the public an opportunity to speak. There was none.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. McMahon questioned why the setback for outward facing barbed wire fencing is two feet. Mr. Olson advised with the barbed wire being angled outwards at 45 degrees, two feet will cover the overhang and avoid having the barbed wire from encroaching over a property line. He noted he spoke with the Chief Building Official who also recommended the two foot setback as well.

Mr. McMahon inquired what prompted these changes. Mr. Olson advised a Facebook sub-contractor initiated the review and proposed amendments, but there have been other requests for barbed wire fencing as well.

Ms. O'Flaherty moved that the Planning and Zoning Commission recommend to the City Council approval of Text Amendments to the Unified Development Ordinance regarding barbed wire fencing as indicated in Exhibit A of the staff report.

Ms. Pena-Graham seconded the motion.

A roll call vote was taken. Ms. O'Flaherty – Yes, Mr. Becker – Yes, Ms. Pena-Graham – Yes, Vice Chair McMahon – Yes, Chair Maxwell - Yes. Mr. Wright was absent. Motion Passed 5-0-1.

#### F. REPORTS

Mr. Olson noted the next scheduled meeting, May 3<sup>rd</sup>, has no scheduled public hearings and will most likely be cancelled. He mentioned at their last meeting, the City Council approved the time extension for NuMed Partners to obtain their state-issued cannabis dispensary license for 818 W. Lincoln Highway.

Mr. Olson stated Old Navy is looking to open this coming Wednesday (April 21) and Harbor Freight Tools is planning a soft opening at the end of May, with an official opening in June. He added that Isaac Executive Suites, a project by Pappas Development, should be completed within 3-4 weeks.

#### G. ADJOURNMENT

Mr. McMahon motioned to adjourn, Mr. Becker seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:14 PM.